

House Watch

A summary of today's House actions;
published daily when the House is in session.



3/18/08

MESSAGES FROM THE SENATE

[HB 4763](#)

(Mayes)

The bill would amend the Lead Abatement Act (Part 54A of the Public Health Code) to exclude from the definition of "abatement" certain activities performed by volunteers to reduce or eliminate a lead-based paint hazard on residential dwellings.

- The House concurred in the Senate substitute S-1 [RC 177: 107 yes, 0 no]

[HB 4868](#)

(Young)

The bill would amend the Home Rule City Act to add right-of-way signage and dangerous building ordinance violations to the list of ordinance violations that a city may designate as blight violations.

- The House concurred in the Senate amendment [RC 178: 93 yes, 15 no]

FINAL PASSAGE

[HB 5531](#)

(Gillard)

Supplemental school aid appropriations for FY 2007-2008.

- Committee substitute H-1 was adopted
- McDowell-1 was adopted
- Moolenaar-3 was adopted
- HB 5531 advanced to 3rd Reading
- HB 5531 was passed [RC 189: 91 yes, 17 no]
- IE was ordered

HB 5526

(Angerer)

House Bill 5526 would allow taxpayers to donate to the Autism Research Fund through a checkoff on the state income tax return.

- HB 5526 advanced to 3rd Reading
- HB 5526 was passed [RC 179: 107 yes, 2 no]
- IE was ordered

HB 5528

(Ball)

House Bill 5528 would create the Autism Research Fund.

- HB 5528 advanced to 3rd Reading
- HB 5528 was passed [RC 180: 108 yes, 1 no]
- IE was ordered

HB 5675

(Virgil Smith)

The bill would amend Chapter 4 of the Insurance Code, which deals with the authorization of insurance companies. Generally speaking, insurance companies are required under the code to obtain a certificate of authority from the Commissioner of the Office of Financial and Insurance Services (OFIS) to do business in the state. House Bill 5675 specifies that if a domestic (in-state), foreign (out-of-state), or alien (out-of-country) insurance company is required while applying for admission to furnish additional financial statements of its parent company or personal financial statements of controlling individuals of the company, all of the following would apply:

- The commissioner would have to withhold the additional financial statements from public inspection.
- The additional financial statements would be confidential.
- The additional financial statements would not be subject to subpoena.
- The additional financial statements could not be divulged to any person, except as otherwise provided.
- These confidentiality requirements would not apply in any proceeding or action brought against or by the insurance company under the Insurance Code or any other applicable state law, law of another state, or federal law.

- Committee substitute H-1 was adopted
- HB 5675 advanced to 3rd Reading
- HB 5675 was passed [RC 181: 88 yes, 20 no]
- IE was ordered

HB 5865**(Ebli)**

House Bill 5865 would add a Chapter 8B to the Michigan Strategic Fund Act, under which \$60 million would be appropriated and transferred from the 21st Century Jobs Trust Fund for the 2008 fiscal year to a newly established Michigan Promotion Program to promote tourism and business development in Michigan. The funding would be intended to enhance funding beyond that included in the annual appropriation for Travel Michigan. (MCL 125.2089)

- Walker-1 falls
- Huizenga-2 falls
- Huizenga-3 falls
- Walker-4 falls
- Agema-5 falls
- Ebli substitute H-2 was adopted
- Huizenga 6A was adopted
- Moore 6B was not adopted [RC 191: 49 yes, 59 no]
- Agema 6C was adopted [RC 192: 102 yes, 6 no]
- Advanced to 3rd Reading
- HB 5865 was passed [RC 193: 94 yes, 14 no]
- IE was ordered

HB 5866**(Brown)**

House Bill 5866 would amend the Michigan Tobacco Settlement Finance Authority Act to allow, generally speaking, for the refunding and refinancing of tobacco settlement bonds issued under the act, with the net proceeds to be deposited in the 21st Century Jobs Trust Fund. (MCL 129.268)

- HB 5866 advanced to 3rd Reading
- HB 5866 was passed [RC 190: 95 yes, 13 no]
- IE was ordered

HB 5867**(Horn)**

House Bill 5867 would make a complementary amendment to the Michigan Trust Fund Act (under which the 21st Century Jobs Trust Fund was established) so the fund could receive the proceeds from refinancing. (MCL 12. 257 and 258)

- HB 5867 advanced to 3rd Reading
- HB 5867 was passed [RC 194: 94 yes, 14 no]
- IE was ordered

SB 82

(McManus)

Senate Bill 82 would amend the Michigan Vehicle Code to require that a child who is four years of age or older but less than eight, and who is less than four feet nine inches tall, be properly secured in a child restraint system in accordance with the instructions of the child restraint and vehicle manufacturers and with applicable federal standards.

- SB 82 advanced to 3rd Reading
- SB 82 was passed [RC 182: 99 yes, 9 no]
- IE was ordered

SB 1173

(Clarke)

The bill would amend the Michigan Business Tax (MBT) Act to allow an MBT credit for a taxpayer who invested at least \$250,000 in a qualified film and digital media infrastructure project. The bill would do the following:

- Allow the Michigan Film Office, with the State Treasurer's concurrence, until September 30, 2015, to enter into a tax credit agreement with a taxpayer.
- Allow a taxpayer to claim a credit of 25% of its base investment.
- Limit the total amount of credits authorized in a year to \$10.0 million.
- Require a taxpayer seeking a credit to apply to the Michigan Film Office and pay an application fee.
- Require an agreement between the Office and a taxpayer to contain certain provisions, including a requirement that construction on the project begin within 180 days of the date of the agreement, and a provision that a taxpayer could not claim the credit until at least 25% of the base investment had been spent.
- If a taxpayer had complied with the terms of an agreement, require the Office to issue an investment expenditure certificate, which the taxpayer would have to submit to the Department of Treasury in order to claim a credit.
- Require a credit to be reduced by 0.5% for a credit application and redemption fee.
- Provide that a taxpayer would be liable for a civil penalty equal to the credit if the taxpayer willfully and knowingly submitted false or fraudulent information.
- Require fee revenue and penalties to be deposited in a proposed Michigan Film Promotion Fund.

- Committee substitute H-1 was adopted
- SB 1173 advanced to 3rd Reading
- HB 1173 was passed [RC 183: 108 yes, 0 no]
- IE was ordered

SB 1174

(Gilbert)

The bill would amend the Michigan Economic Growth Authority (MEGA) Act to include a film and digital media production business among the businesses eligible for a business tax credit

under the Act.

The Act allows MEGA to enter into an agreement with an eligible business for a credit against the tax imposed by the Michigan Business Tax Act. To be eligible for the credit, a business must create and maintain a minimum number of qualified new jobs in the State, retain a minimum number of jobs, and/or make a certain level of new capital investment. The applicable requirements depend on the type and location of a business and whether it is expanding or locating in Michigan. A business also must meet various other criteria, including a requirement that the average wage paid for qualified new jobs and retained jobs be at least 150% of the Federal minimum wage. The credit is based on payroll attributable to employees who perform qualified new jobs or retained jobs.

The Act defines "eligible business" as a distressed business; a business that proposes to maintain retained jobs or to create qualified new jobs in manufacturing, mining, research and development, wholesale and trade, or office operations; or a qualified high-technology business. Under the bill, "eligible business" also would include a business that proposes to maintain retained jobs or create qualified new jobs in film and digital media production.

"Film and media production" would mean the development, preproduction, production, postproduction, and distribution of single media or multimedia entertainment content for distribution or exhibition to the general public in two or more states by any means and media in any digital media format, film, or video tape, including a motion picture, a documentary, a television series, a television miniseries, a television special, interstitial television programming, long-form television, interactive television, music videos, interactive games, video games, internet programming, an internet video, a sound recording, a video, digital animation, or an interactive website.

The term also would include the development, preproduction, production, postproduction, and distribution of a trailer, pilot, video teaser, or demo created primarily to stimulate the sale, marketing, promotion, or exploitation of future investment in a film or digital media production.

"Film and media production" would not include the production of any of the following:

- A production for which records must be maintained with respect to any performer in the production under 18 USC 2257 (which concerns sexually explicit visual depictions).
- A production that includes obscene matter or an obscene performance, as described in Public Act 343 of 1984 (which prohibits the dissemination of obscene material).
- A production that primarily consists of televised news or current events, a live sporting event, or political advertising.
- A radio program.
- A weather show, talk show, or game show.
- A financial market report.
- A production that primarily markets a product or service.
- An awards show or other gala event production.
- A production with the primary purpose of fund-raising.
- A production that primarily is for employee training or in-house corporate advertising or other similar production.

- Committee substitute H-1 was adopted
- HB 1174 advanced to 3rd Reading
- HB 1174 was passed [RC 184: 108 yes, 0 no]
- IE was ordered

SB 1176

(Birkholz)

The bill would amend the Michigan Business Tax (MBT) Act to allow the Michigan Film Office, with the State Treasurer's concurrence, until September 30, 2015, to enter into an agreement with an eligible production company granting it an MBT credit equal to 50% of qualified job training expenditures. The bill also would:

- Require a taxpayer to apply to the Film Office for a tax credit and pay an application fee.
- Specify factors the Film Office and the State Treasurer would have to consider in determining whether to authorize a credit.
- If a company complied with its agreement, require the Film Office to issue a qualified job training expenditure certificate, which the company would have to submit to the Department of Treasury to claim its credit.
- Require a company's credit to be reduced by a credit application and redemption fee of 0.5% of the credit.
- Provide that a taxpayer would be liable for a civil penalty equal to its credit for willfully and knowingly submitting false or fraudulent information.
- Require fee revenue and civil penalties to be deposited into a proposed Michigan Film Promotion Fund.

- SB 1176 advanced to 3rd Reading
- SB 1176 was passed [RC 185: 107 yes, 1 no]
- IE was ordered

SB 1177

(Allen)

Senate Bill 1177 would add Chapter 2a to the Michigan Strategic Fund (MSF) Act to do all of the following:

- Create the Michigan Film Office, headed by the Michigan Film Commissioner, and the Michigan Film Office Advisory Council within the MSF.
- Create the "Michigan Film Promotion Fund".
- Repeal sections of the History, Arts, and Libraries (HAL) Act that created the Michigan Film Office, headed by the Michigan Film Commissioner, and the Michigan Film Advisory Commission within the Department of History, Arts, and Libraries.
- Prohibit and prescribe a criminal penalty for false representation as an agent or employee of the Office, Commissioner, or Council.
- Provide for the transfer of all records, personnel, property, grants, and unspent balances of appropriations and other funds to the proposed Office.

- SB 1177 advanced to 3rd Reading
- SB 1177 was passed [RC 186: 106 yes, 2 no]
- IE was ordered

SB 1178**(Hunter)**

Senate Bill 1178 would amend the Management and Budget Act. Senate Bill 1178 would apply to the Director of the Department of Management and Budget (DMB), who could authorize the use of property owned by or under the control of the DMB or a State agency.

- SB 1178 was passed [RC 187: 107 yes, 1 no]
- IE was ordered

SB 1183**(Stamas)**

The bill would delete the definitions of "commission" and "office" from the HAL Act. "Commission" means the Michigan Film Advisory Commission created in Section 22 of the Act, and "office" means the Michigan Film Office created in Section 21.

- SB 1183 advanced to 3rd Reading
- SB 1183 was passed [RC 188: 108 yes, 0 no]
- IE was ordered

MOTIONS AND RESOLUTIONS

HR 308**(Angerer)**

A resolution recognizing the 40th anniversary of the Michigan Association of Homes and Services for the Aging.

- HR 308 was adopted